

## AMENDMENTS TO THE CLAIMS

1-97 (canceled)

98. (New) A signal transmission and receiving apparatus for transmitting and receiving a PSK or QAM modulated signal, the apparatus comprising a transmission apparatus and a receiving apparatus,

said transmission apparatus comprising:

- a modulator operable to modulate a data stream to an n-level PSK or QAM modulated signal, wherein n is an integer,

wherein the modulator is capable of changing the value of n; and

- a transmitter operable to transmit the n-level PSK or QAM modulated signal;

said receiving apparatus comprising:

- a demodulator operable to demodulate the n-level PSK or QAM modulated signal to a demodulated data stream.

99. (New) The signal transmission and receiving apparatus in accordance with claim 98, wherein the modulator changes the value of n according to a transmission condition.

100. (New) A signal transmission apparatus for transmitting a PSK or QAM modulated signal, the apparatus comprising:

- a modulator operable to modulate a data stream to an n-level PSK or QAM modulated signal, wherein n is an integer,

wherein the modulator is capable of changing the value of n; and

- a transmitter operable to transmit the n-level PSK or QAM modulated signal.

101. (New) The signal transmission apparatus in accordance with claim 100, wherein the modulator changes the value of n according to a transmission condition.

102. (New) A signal receiving apparatus comprising:  
- a receiver operable to receive a transmitted n-level PSK or QAM modulated signal, wherein n is an integer,  
wherein the value of n is changeable; and  
- a demodulator operable to demodulate the n-level PSK or QAM modulated signal to a data stream.

103. (New) The signal receiving apparatus in accordance with claim 102, wherein the value of n is changed according to a transmission condition.

104. (New) A signal transmission and receiving method for transmitting and receiving a PSK or QAM modulated signal, the method comprising a transmission method and a receiving method,  
said transmission method comprising:  
- modulating a data stream to an n-level PSK or QAM modulated signal, wherein n is an integer,  
wherein the modulating is capable of changing the value of n; and  
- transmitting the n-level PSK or QAM modulated signal;  
said receiving method comprising:  
- demodulating the n-level PSK or QAM modulated signal to a demodulated data stream.

105. (New) The signal transmission and receiving method in accordance with claim 104, wherein the modulating changes the value of n according to a transmission condition.

106. (New) A signal transmission method for transmitting a PSK or QAM modulated signal, the method comprising:  
- modulating a data stream to an n-level PSK or QAM modulated signal, wherein n is an integer,

wherein the modulating is capable of changing the value of  $n$ ; and

- transmitting the  $n$ -level PSK or QAM modulated signal.

107. (New) The signal transmission method in accordance with claim 106, wherein the modulating changes the value of  $n$  according to a transmission condition.

108. (New) A signal receiving method comprising:

- receiving a transmitted  $n$ -level PSK or QAM modulated signal, wherein  $n$  is an integer, wherein the value of  $n$  is changeable; and

- demodulating the  $n$ -level PSK or QAM modulated signal to a data stream.

109. (New) The signal receiving method in accordance with claim 108, wherein the value of  $n$  is changed according to a transmission condition.